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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,160	01/26/2004	Keiko Hayashi	Q79567	6750

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EXAMINER
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WANG, JIN CHENG

ART UNIT	PAPER NUMBER
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2672

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/763,160	<b>Applicant(s)</b> HAYASHI ET AL.	
	<b>Examiner</b> Jin-Cheng Wang	<b>Art Unit</b> 2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claim 9 recites a method claim. The claim only recites a computer program comprising a series of steps. The claim 9 has not recited a step of executing the program, which may just be stored on computer or written on a piece of paper without being executed. Therefore, the program does not render a useful and tangible result.

According to MPEP 2106, The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373, 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the practical application for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Given the absence of any practical effect or significant independent physical acts, the applicants' claim fails to adequately define the claimed invention within the domain of patentable subject matter. Claims 10-12 depend upon the claim 9 and are rejected due to their dependency on the claim 9.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jannssen et al. US Patent No. 6,512,529 (hereinafter Jannssen) in view of DeStefano U.S. Patent No. 6,304,259 (hereinafter DeStefano) and Berman et al. U.S. Patent No. 6,448,956 (hereinafter Berman).

Claim 1:

Jannssen discloses a method of an information processing apparatus comprising a first step for partitioning the screen of one display apparatus into a main display window and a plurality of contracted display windows (See Figs. 2-4), each window presenting single piece of screen information, in a manner such that the windows do not overlap each other (*to concurrently view all the important information displayed in various windows, e.g., in air traffic control, the focus of the radar operator is on the main situation display window where the operator is tracking the movement of aircraft through the radar plots displayed in the window. The operator also needs to regularly be able to view additional information about the aircraft, weather conditions as displayed in other windows. The method allows the operator to perform his task while at the same time not obscuring other windows which are essential to perform the task; column 1, lines 38-67 and column 2, lines 1-50; in column 3, lines 11-30, the cited reference discloses the contents of the window are exposed when the cursor moves into the area*

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*of the window when in “normal” mode and the contents of the window are exposed in the manner described above for a specified period of time in “timed” mode) and a fourth step for presenting screen information on third contracted display windows other than the first and second contracted display windows (the cited reference discloses displaying information on a plurality of windows so that all the important information displayed in various windows can be concurrently viewed; see column 1-3 and Figs. 3-4).*

However, Jannssen failed to explicitly disclose the claim limitation of “a second step for presenting the same screen information on both a first contracted display window and the main display window.”

DeStefano discloses the claim limitation of a second step for presenting the same screen information on both a first contracted display window and the main display window (See DeStefano Fig. 23).

It would have been obvious to have incorporated DeStefano’s system to relate the same information for the plurality of different windows in the multiple windowing apparatus of Jannssen because Jannssen suggests providing multiple screen surfaces to provide enough space to display all of the required data and one window may contain a geographic view of the airspace in which aircraft are plotted on the display according to their current position based on radar reports and another window may have a dynamically changing table summarizing details about each aircraft including information such as current speed and altitude; Jannssen column 1-3) and therefore suggesting the claim limitation of displaying the same altitude information about an aircraft on the multiple windows.

One of the ordinary skill in the art would have been motivated to do this because the information presented in different windows can be related by the lens of DeStefano (column 17, lines 40-45) and the same information can be displayed in different windows (Jannssen column 1-3).

However, Jannssen and DeStefano failed to explicitly disclose the claim limitation of “a third step for presenting the same screen information on both a second contracted display window and another display apparatus; and a fifth step for presenting screen information, presented on one of the third contracted display windows, on both the second contracted display window and the other display apparatus in response to an operation to the information processing apparatus.”

Berman discloses the claim limitation of a second step for presenting the same screen information on both a first contracted display window and the main display window (*by the drag and drop operation in which the image in the main image display window to be interchanged with the image in the contracted display window; column 8, lines 39-56*); a third step for presenting the same screen information on both a second contracted display window and another display apparatus (*rearrange the images on the canvas of the monitors by the drag and drop operation; column 8, lines 39-56*); a fourth step for presenting screen information on third contracted display windows other than the first and second contracted display windows (*using the drag and drop function to drag display information for one window to another window on the same display or on a different display; see Berman column 10, lines 39-67 and column 1-25 and column 15-17*); and a fifth step for presenting screen information, presented on one of the third contracted display windows, on both the second contracted display window and the other

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display apparatus in response to an operation to the information processing apparatus (*using the drag and drop function to drag display information for one window to another window on the same display or on a different display; see Berman column 10, lines 39-67 and column 1-25; column 15-17*).

It would have been obvious to have incorporated Berman's image manipulation system to drag and drop image information from one window to another into the multiple windowing apparatus of Jannssen and DeStefano because Jannssen suggests providing multiple screen surfaces to provide enough space to display all of the required data; Jannssen column 1-3 and a GUI interface allowing the operator to manage the windows on the display for manipulating the data displayed on the windows (Jannssen column 1-3) and DeStefano concurrently displaying information on separate windows and linking the information displayed on separate windows in which cutting, copying and pasting operations are supported by the authoring tool 90 (DeStefano column 42, lines 59-67column 43, lines 1-16) and therefore suggesting the claim limitation of copying information from one window to another window.

One of the ordinary skill in the art would have been motivated to do this to improve safety critical applications since it permits the operator to maintain maximum awareness of the main safety critical situation window, while still providing immediate access to the other information necessary for the operator to perform his task (Jannssen column 2, lines 40-50).

One of the ordinary skill in the art would have been motivated to do this because the information presented in different windows can be related by the lens of DeStefano (column 17, lines 40-45) and the same information can be copied from one window and pasted to another window (DeStefano column 42, lines 59-67column 43, lines 1-16).

Claims 2-4:

The claim 2 (3, 4) encompasses the same scope of invention as that of the claim 1 except additional claim limitation that the screen information presented on the one of the third contracted display windows is dragged and dropped to the second contracted display window. However, Berman further discloses the claim limitation that the screen information presented on the one of the third contracted display windows is dragged and dropped to the second contracted display window (*using the drag and drop function to drag display information for one window to another window on the same display or on a different display; see Berman column 10, lines 39-67 and column 1-25; column 15-17*).

Claims 5-8:

The claims 5-8 are subject to the same rationale of rejection set forth in the claims 1-4.

Claims 9-12:

The claims 9-12 are subject to the same rationale of rejection set forth in the claims 1-4.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (571) 272-7665. The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jcw



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